argument to show why approval of NADA No. 7-461V and NADA No. 9-009V should not be withdrawn. Promulgation of the order will cause any drugs similar in composition to the above cited drug products and recommended for similar conditions of use to be a new animal drug for which an approved new animal drug application is not in effect. Any such drug then on the market will be subject to appropriate regulatory action.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or

2. Not to avail themselves of the opportunity for a hearing. If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner, without further notice, will enter a final order withdrawing approval of the new animal drug application.

Failure of such persons to file a written appearance of election within said 30 days will be construed as an election by said persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file a written appearance requesting the hearing and giving the reasons why approval of the new animal drug applications should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition to the grounds for this notice. A request for a hearing may not rest upon mere allegations or denials but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. When it clearly appears from the data in the application and from the reasons and factual analysis in the request for the hearing that no genuine and substantial issue of fact precludes the withdrawal of approval of the applications, the Commissioner will enter an order stating his findings and conclusions on such data. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence.

Responses to this notice will be available for public inspection in the Office of the Hearing Clerk (address given above), during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under the authority delegated to the Commissioner (21 CFR 2.120).

Dated: September 15, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-16167 Filed 9-21-72;8:49 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA E.O. No. 1]

FLEXI-VAN CARS

Emergency Order Regarding Prohibition of Use and Notice of Investigation

The Penn Central Transportation Co. has approximately 1,443 Flexi-Van cars. About 400 of these cars are currently in use for high-speed mail service. These cars have been designed for moving containers and consist essentially of a main load carrying longitudinal center member with end platforms mounted on standard trucks. Other railroads also operate these Flexi-Van cars. There are five categories of Flexi-Van cars designated as Mark I, II, III, IV, and V.

ORDER

On August 30, 1972, safety inspectors of the Federal Railroad Administration's Office of Safety conducted an inspection and investigation of 58 Flexi-Van cars on the line of the Penn Central Transportation Co. These cars were carefully examined by the FRA inspectors. This detailed inspection disclosed that 32 of the 58 cars in the Mark III and IV designation so examined and inspected had cracked center-sill members. Sixteen of these 32 cars were in trains operated by the Penn Central at the time of the inspection and investigation. Many of these cars had center-sill fractures drilled at terminus but fractures had progressed beyond the point of stress relief. A number of these cars had not been repaired in any manner, although this matter had previously been called to the attention of the Penn Central Transportation Co. by the Federal Railroad Administration.

In addition to the August 30, 1972, inspection and investigation, inspectors of the Federal Railroad Administration's Office of Safety also conducted an inspection and investigation of Penn Central's Flexi-Van cars on May 3, August 17, and September 7, 1972. These cars were also in the Mark III and Mark IV designation. The detailed inspection on September 7 disclosed that 17 of the 27 cars examined had cracked center-sill members. At that time the FRA advised the Penn Central of the dangerous nature of the center-sill problem. However, the Penn Central has thus far failed to take effective remedial action.

In addition to the matters set forth immediately above, the FRA inspections and investigations have disclosed that Flexi-Van cars are operating in high-speed service on the lines of the Penn Central Transportation Co. Due to the high percentage of these cars which have defective center-sills and due to the potential for an extremely dangerous accident if the center member fails completely, a very hazardous condition now exists.

I have thoroughly reviewed and carefully considered this matter. I therefore, conclude our inspections and investigations show that Flexi-Van cars in the Mark III and IV designation, which are more specifically set forth below, are in unsafe condition and thereby create an emergency situation involving a hazard of death or injury to persons affected by the use of such equipment. Therefore, pursuant to authority contained in section 203 of the Federal Railroad Safety Act of 1970 (45 U.S.C. section 432) delegated to me under § 1.49(n) of the regulations of the Secretary of Transportation (49 CFR 1.49(n)), I hereby issue this order prohibiting the further use by any railroad of the Mark III and Mark IV Flexi-Van cars listed in Table I, effective 12:01 a.m. on September 27, 1972, subject to the following conditions:

(1) All Flexi-Van cars, Mark III and IV designation, that are inspected and found not to contain cracked center-sill members may be placed in service after 12:01 a.m., September 27, 1972. Each railroad shall promptly notify the FRA Office of Safety in writing of each car that is placed in service, including in the notice the number of each car and the date of inspection.

(2) Each Flexi-Van car, Mark III or IV designation, that is placed in service in a train under clause (1) shall be inspected for a cracked center-sill at each terminal where the car is loaded or unloaded, but not less frequently than once every 48 hours. A car found to contain a cracked center-sill shall promptly be removed from service.

It is further ordered that none of the Mark III and IV Flexi-Van cars which have center-sill cracks may be returned to service until the railroad concerned submits evidence that the car has been repaired in a manner approved by the FRA Office of Safety.

An opportunity for review of this order shall be provided in accordance with section 554 of title 5 of the United States Code.

A civil penalty of not less than $250 nor more than $2,500 will be assessed for each violation of this order, and each day of such violation will constitute a separate offense (45 U.S.C. section 438).

NOTICE

In addition to those Flexi-Van cars with the Mark III and IV designation, there remain other cars bearing the designations Mark I, II, and V. These latter designated cars are not required to be taken out of service by the above order. However, the condition of cars designated I, II, and V must be considered,

since they may also be a source of potential danger.

The FRA has not yet determined whether cars marked I, II, and V have the same center-sill problem as cars with the III and IV designation. Therefore, each railroad which owns or leases cars designated I, II, and V is requested to inspect its cars and to report the condition of each car's center-sill member to the FRA Office of Safety, 400 Seventh Street SW., Washington, DC 20590, before October 4, 1972. A report should specify the car number, type of service, and its location, and describe the center-sill fracture, if any. If repairs have been attempted, the report should briefly state whether or not the repair has proven effective.

In addition to this request for information, the FRA Office of Safety will commence an investigation and inspection of Flexi-Van cars with the Mark I, II, and V designations. The investigation will be conducted pursuant to section 208 of the Federal Railroad Safety Act of 1970 which includes the power of subpena. The FRA will conduct this investigation to decide whether or not to issue an emergency order with respect to cars designated I, II, and V, similar to the one included above concerning the Mark III and IV cars.

TABLE I

FLEXI-VAN CARS SUBJECT TO THIS ORDER AND NOTICE

Owner	Designation	Car No.		Totals
		Old series	New series	
PC	Mark II	NYC-563100-563225		120
		NYC-563750-563899	PC-778250-778399	150
		NYC-6850-6933	PC-778350-778399	34
		MFVX-6900-6923		67
	Mark III	NYC-501000-501249	PC-776000-776249	416
	Mark IV	NYC-6700-6799	PC-777000-777099	97
		NYC-504450-504535	PC-777419-777505	83
		MFVX-6800-6990		191
		MFVX-6900-6999		124
	Mark V	MFVX-6700-6799		97
ATSF	Mark V	ATSF-20000-20099		25
MILW	Mark I	58000-58038		39
MILW (Lessee)	Mark II	NIFX-7000-7024		25
	Mark III	NIFX-7025-7049		25
Total Flexi-Van Fleet				1,657

Issued in Washington, D.C., on September 20, 1972.

JOHN W. INGRAM,
Administrator.

[FR Doc.72-16291 Filed 9-21-72;8:50 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-352, 50-353]

PHILADELPHIA ELECTRIC CO.

Order Reconvening Evidentiary Hearing

In the matter of Philadelphia Electric Co. (Limerick Generating Station Units 1 and 2).

The Atomic Safety and Licensing Board has inquired of the attorneys for the parties, pursuant to the rules of practice of the Commission, concerning their readiness to proceed to presentation of evidence and the earliest and most convenient date for reconvening the evidentiary session of the proceedings. All attorneys have agreed on the date of October 16, 1972.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, And take notice that an evidentiary session of the hearing shall reconvene at 2 p.m. on Monday, October 16, 1972, in the Pott's Room, Holiday Inn, West King Street at Route 100, Pottstown, Pa.

The Attorneys have estimated that this session will utilize either 2 days or 2½ days. The Atomic Safety and Licensing Board is reserving 5 days to be available for this session of hearings.

Issued: September 15, 1972, Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[FR Doc.72-16140 Filed 9-21-72;8:46 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24705; Order 72-8-120]

PARTICIPATING AIRLINES

Order of Investigation and Suspension Regarding Multiple-Container Pick-up and Delivery Charges at Numerous Points

Correction

In F.R. Doc. 72-15106 appearing at page 18051 of the issue for Wednesday, September 6, 1972, the agency designation in brackets should read as set forth above; and the third, fourth, and fifth lines of Footnote 4 should be transferred to appear at the end of the first complete paragraph in the center column of page 18052.

[Docket No. 24419]

SOCIETA' AEREA MEDITERRANEA SAM S.p.A.

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding now scheduled to commence on September 28, 1972 (37 F.R. 17233), is hereby postponed until further notice at the request of the applicant.

Dated at Washington, D.C., September 18, 1972.

[SEAL] ROBERT L. PARK,
Associate Chief Administrative Law Judge.

[FR Doc.72-16176 Filed 9-21-72;8:49 am]

[Docket No. 23333; Order 72-9-53]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority September 14, 1972.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated August 30, 1972, names additional specific commodity rates, as set forth in the attachment hereto.[1] These rates reflect a reduction from the otherwise applicable general cargo rates.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the condition hereinafter ordered.

Accordingly, it is ordered, That:

Agreement CAB 23282, R-1 through R-12, be and hereby is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

[1] Attachment filed as part of the original document.